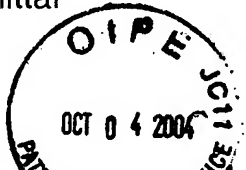


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# Request For Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



|                        |                       |
|------------------------|-----------------------|
| Application Number     | 10/644,420            |
| Filing Date            | August 20, 2003       |
| First Named Inventor   | James R. Parks et al. |
| Art Unit               | 3724                  |
| Examiner Name          | C. Dexter             |
| Attorney Docket Number | TN-2174               |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

- i. ☒ Amendment/Reply  
ii. ☐ Affidavit(s)/Declaration(s)  
iii. ☐ Information Disclosure Statement (IDS)  
iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)  
b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2548

- i. ☒ RCE fee required under 37 C.F.R. 1.17(e)  
ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)  
iii. ☐ Other \_\_\_\_\_

- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                    |                  |                                   |                 |
|--------------------|------------------|-----------------------------------|-----------------|
| Name (Print /Type) | Adan Ayala, Esq. | Registration No. (Attorney/Agent) | 38,373          |
| Signature          |                  | Date                              | October 1, 2004 |

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

|                    |                  |
|--------------------|------------------|
| Name (Print /Type) | Adan Ayala, Esq. |
| Signature          |                  |
| Date               | October 1, 2004  |

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$) 790

**Complete if Known**

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 10/644,420            |
| Filing Date          | August 20, 2003       |
| First Named Inventor | James R. Parks et al. |
| Examiner Name        | C. Dexter             |
| Art Unit             | 3724                  |
| Attorney Docket No.  | TN-2174               |

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit Account Number: 02-2548

Deposit Account Name: Black & Decker (U.S.) Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

| Large Entity        |          | Small Entity |          | Fee Description        | Fee Paid |
|---------------------|----------|--------------|----------|------------------------|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001                | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002                | 340      | 2002         | 170      | Design filing fee      |          |
| 1003                | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004                | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005                | 160      | 2005         | 80       | Provisional filing fee |          |
| <b>SUBTOTAL (1)</b> |          |              |          |                        | (\$ 0)   |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims: -20 \*\* = 0 X Fee from below = 0

Independent Claims: -3 \*\* = 0 X Fee from below = 0

Multiple Dependent: X Fee from below = 0

| Large Entity        |          | Small Entity |          | Fee Description  | Fee Paid |
|---------------------|----------|--------------|----------|--|----------|
| Fee Code            | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1202                | 18       | 2202         | 9        | Claims in excess of 20                                     |          |
| 1201                | 86       | 2201         | 43       | Independent claims in excess of 3                          |          |
| 1203                | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |          |
| 1204                | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |          |
| 1205                | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |          |
| <b>SUBTOTAL (2)</b> |          |              |          |  | (\$ 0)   |

\*\*or number previously paid, if greater; For Reissues, see above

**3. ADDITIONAL FEES**

| Large Entity                      |          | Small Entity |          | Fee Description  | Fee Paid |
|-----------------------------------|----------|--------------|----------|--|----------|
| Fee Code                          | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051                              | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052                              | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1053                              | 130      | 1053         | 130      | Non-English specification  |          |
| 1812                              | 2,520    | 1812         | 2,520    | For filing a request for reexamination                                     |          |
| 1804                              | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                              | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251                              | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252                              | 420      | 2252         | 210      | Extension for reply within second month                                    |          |
| 1253                              | 950      | 2253         | 475      | Extension for reply within third month                                     |          |
| 1254                              | 1,480    | 2254         | 740      | Extension for reply within fourth month                                    |          |
| 1255                              | 2,010    | 2255         | 1,005    | Extension for reply within fifth month                                     |          |
| 1401                              | 330      | 2401         | 165      | Notice of Appeal   |          |
| 1402                              | 330      | 2402         | 165      | Filing a brief in support of an appeal                                     |          |
| 1403                              | 290      | 2403         | 145      | Request for oral hearing   |          |
| 1451                              | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                              | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453                              | 1,330    | 2453         | 665      | Petition to revive - unintentional   |          |
| 1501                              | 1,330    | 2501         | 665      | Utility issue fee (or reissue)   |          |
| 1502                              | 480      | 2502         | 240      | Design issue fee   |          |
| 1503                              | 640      | 2503         | 320      | Plant issue fee  |          |
| 1460                              | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807                              | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806                              | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                              | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                              | 770      | 2809         | 385      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                              | 770      | 2810         | 385      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801                              | 770      | 2801         | 385      | Request for Continued Examination (RCE)                                    | 790      |
| 1802                              | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify) _____         |          |              |          |  |          |
| *Reduced by Basic Filing Fee Paid |          |              |          |  |          |
| <b>SUBTOTAL (3)</b>               |          |              |          |  | (\$ 790) |

**SUBMITTED BY**

|                   |                  |                                   |        |           |                 |
|-------------------|------------------|-----------------------------------|--------|-----------|-----------------|
| Name (Print/Type) | Adan Ayala, Esq. | Registration No. (Attorney/Agent) | 38,373 | Telephone | 410-716-2368    |
| Signature         |                  |                                   |        | Date      | October 1, 2004 |

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